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WD 1644
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PATENT

Attorney Docket No.: A-67031-1/RFT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
HOPE et al.)
Serial No. 09/382,088)
Filed: August 24, 1999)
For: COMPOSTIONS AND METHODS)
FOR PROTECTING ORGANS,)
TISSUE AND CELLS FROM)
IMMUNE SYSTEM-MEDIATED)
DAMAGE)

Examiner: Decloux, A.

Group Art Unit: 1644

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CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated: 4-13-00
Signed: Christine P. Peters
Christine P. Peters

TRANSMITTAL OF RESPONSE TO COMMUNICATION
AND NOTICE TO COMPLY

Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In response to the Office Communication and accompanying Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated March 29, 2000, enclosed are the following documents:

1. Copy of Communication and Notice to Comply;
2. Paper copy of SEQUENCE LISTING;
3. Preliminary Amendment;

Serial No.: 09/382,088
Filed: August 24, 1999

4. Computer readable copy of Sequence Listing;

While no fee is currently believed to be due, the Commissioner is authorized to charge any additional fees, including any extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67031-1/RFT).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

A duplicate copy of this document is enclosed.

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP



Richard F. Trecartin
Reg. ~~39,754~~

31,801

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

09/08/92, 0888

08/24/99

HOPE

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A-67031-1/RP

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FLEHR HORBACH TEST ALBRITTON & HERBERT
FOUR EMBARCADERO CENTER
SUITE 3400
SAN FRANCISCO CA 94111-4187



EXAMINER

DECLoux, A

ART UNIT

PAPER NUMBER

1644

DATE MAILED:

03/29/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

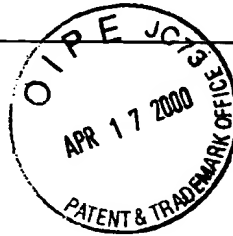
File A-67031-1 Atty RFT
Due Date 4/29/2000
Type Imo. Comply Refs 1



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Washington, D.C. 20231

09/382 088

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|---------------|-------------|-----------------------|---------------------|
| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
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| EXAMINER | |
| | |
| ART UNIT | PAPER NUMBER 4 |
| | |

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

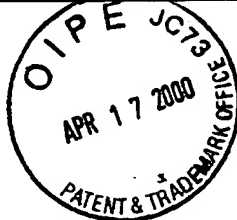
Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to Examiner Amy DeCloux, Art Unit 1644, whose telephone number is (703) 306-5821. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

Amy DeCloux, Ph.D.
March 27, 2000

David A. Saunders

DAVID SAUNDERS
PRIMARY EXAMINER
ART UNIT 182-1644



Application No.:

09/382,088
001372082

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Disclosure contains sequences not identified with SEQ ID NUMBERS

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

Revision of Patent and Trademark Fees for Fiscal Year 2000
In view of the American Inventors Protection Act of 1999, Public Law 106-113

The following amendments to the fee amounts in 37 CFR 1.16, 1.20, and 1.492 shown below will be effective on December 29, 1999:

Patent Fees:

37 CFR

| Sec. | Description | Current Fee Amount | New Fee Amount (Effective 12/29/99) |
|-------------|---|--------------------|--|
| 1.16(a) | Basic filing fee – Utility | \$760 | \$690 |
| 1.16(a) | Basic filing fee – Utility (Small Entity) | \$380 | \$345 |
| 1.16(a) | Basic filing fee – Utility (CPA) | \$760 | \$690 |
| 1.16(a) | Basic filing fee – Utility (CPA) (Small Entity) | \$380 | \$345 |
| 1.16(h) | Reissue filing fee | \$760 | \$690 |
| 1.16(h) | Reissue filing fee (Small Entity) | \$380 | \$345 |
| 1.16(h) | Reissue filing fee (CPA) | \$760 | \$690 |
| 1.16(h) | Reissue filing fee (CPA) (Small Entity) | \$380 | \$345 |
| 1.20(e) | Maintenance fee – due at 3.5 years | \$940 | \$830 |
| 1.20(e) | Maintenance fee – due at 3.5 years (Small Entity) | \$470 | \$415 |
| 1.492(a)(2) | ISA - U.S. | \$760 | \$690 |
| 1.492(a)(2) | ISA - U.S. (Small Entity) | \$380 | \$345 |

The following amendments to the fee amounts in 37 CFR 1.17 and 2.6 shown below will be effective on January 10, 2000:

Patent Fees:

37 CFR

| Sec. | Description | Current Fee Amount | New Fee Amount (Effective 1/10/00) |
|---------|--|--------------------|---------------------------------------|
| 1.17(r) | Filing a submission after final rejection (1.129(a)) | \$760 | \$690 |
| 1.17(r) | Filing a submission after final rejection (1.129(a)) (Small Entity) | \$380 | \$345 |
| 1.17(s) | Per additional invention to be examined (1.129(b)) | \$760 | \$690 |
| 1.17(s) | Per additional invention to be examined (1.129(b)) (Small Entity) | \$380 | \$345 |

Trademark Fees:

37 CFR

| Sec. | Description | Current Fee Amount | New Fee Amount (Effective 1/10/00) |
|------------|--|--------------------|---------------------------------------|
| 2.6(a)(1) | Application for registration, per class | \$245 | \$325 |
| 2.6(a)(4) | Extension for filing Statement of Use, per class | \$100 | \$150 |
| 2.6(a)(5) | Application for renewal, per class | \$300 | \$400 |
| 2.6(a)(13) | Filing section 15 affidavit, per class | \$100 | \$200 |
| 2.6(a)(16) | Petition for cancellation, per class | \$200 | \$300 |
| 2.6(a)(17) | Notice of opposition, per class | \$200 | \$300 |

Patent and trademark customers are responsible for paying the correct fee amounts. We advise our customers to refer to the official PTO Web site at www.uspto.gov or contact the PTO General Information Services Division at (703) 308-4357 or (800) PTO-9199 for the most current fee amounts and information.